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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/512,062	10/21/2004	Arvid Goran Lindstrom	LINDSTROM1	8581
1444	7590	12/12/2005	EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			SIPOS, JOHN	
			ART UNIT	PAPER NUMBER
			3721	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/512,062	Applicant(s) LINDSTROM, ARVID GORAN	
	Examiner John Sipos	Art Unit 3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/21/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

REJECTIONS OF CLAIMS BASED ON FORMAL MATTERS

The following is a quotation of the second paragraph of 35 U.S.C. ' 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under **35 U.S.C. ' 112, second paragraph**, as being **indefinite** for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are indefinite in that it is not clear to what lower and upper "limiting surfaces" refer. It is assumed that the upper surface 11b refers to the same top of the turntable on which the U-profiles are mounted and the lower surface 11a refers to the bottom of the turntable. The specification also does not specifically relate the upper and lower limiting surfaces to any part of the structure. The following amendments are suggested:

- In claim 1, line 3, after "11a", insert --defining the bottom of the turntable--; and
- In claim 1, line 4, after "11b", insert --for supporting said goods--.

Similar amendments should be made to page 7 of the specification.

REJECTIONS OF CLAIMS BASED ON PRIOR ART

The following is a quotation of the appropriate paragraphs of 35 U.S.C. ' 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by

another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claim 1 is rejected under **35 U.S.C. ' 102(b)** as being clearly anticipated by the patent to Rosenthal (4,590,737) or Mueller (4,281,500). Each of these references shows a bottom unit of a wrapping machine for rotating a load that comprises a turntable (14 and 200, respectively) having lower and upper limiting surfaces (see the right side of the turntable 14 in Figure 5 and surfaces 201,202 in Figure 12, respectively), rollers (46 and 215, respectively) for supporting the turntable with the major portion of the periphery of the rollers being above the lower limiting surface of the turntable.

Claims 1 and 2 are rejected under **35 U.S.C. ' 102(b)** as being clearly anticipated by the patent to Harley (5,080,322). The patent to Harley shows a bottom unit for rotating a load that comprises a turntable (16) having lower and upper limiting surfaces (see Figure 6), rollers (26) for supporting the turntable with the major portion of the periphery of the rollers being above the lower limiting surface of the turntable while extending through an aperture through the upper limiting surface (see Figure 6). The preamble, stating that the bottom unit is "of a stretch wrapping machine" and it is "resting on the ground", is considered the intended use of the bottom unit and without reciting the rest of the wrapping machine in the body of the claim in combination with the bottom unit it is given little patentable weight.

Claims 1,2,4-6 and 9-11 are rejected under **35 U.S.C. ' 102(b)** as being clearly anticipated by the patent to Abeles (2,808,223). The patent to Abeles shows a bottom unit for rotating a load that comprises a turntable (32) having lower and upper limiting surfaces (see Figure 2) and rollers (62) for supporting the turntable with the major portion of the periphery of the rollers being above the lower limiting surface of the turntable. The preamble, stating that the

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bottom unit is "of a stretch wrapping machine" and it is "resting on the ground", is considered the intended use of the bottom unit and without reciting the rest of the wrapping machine in the body of the claim in combination with the bottom unit is given little patentable weight.

Regarding claim 2, the rollers extend through an aperture through the upper limiting surface (65).

Regarding claims 4-6, the rollers are mounted in holders 66,68 connected to U-profiles 26,28 mounted on the top of the upper limiting surface of the turntable with the rollers being received in holes (65,74).

The following is a quotation of 35 U.S.C. ' 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,7,8 and 12-15 are rejected under 35 U.S.C. ' 103(a) as being unpatentable over the patent to Abeles (2,808,223). The use of parallel rows of support rollers (claim 3) and plastic spacers between two rotating elements (claims 7 and 8) to provide more support for heavy and wide objects are well known in the art and the Examiner takes Official Notice that these are common knowledge in the art. In the above cases providing Abeles with rows of rollers and plastic spacers would have been obvious to one skilled in the art for the above benefits.

ADDITIONAL REFERENCES CITED

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The cited prior art is made of record but has not been relied upon in the rejection of claims. However, the prior art is considered pertinent to applicant's disclosure.

The patent to Wilson shows spacers between the rotating elements of a turntable.


The patent to Beasley shows a turntable with the support rollers being above the lower limiting surface of the turntable.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Examiner John Sipos** at telephone number **571-272-4468**. The examiner can normally be reached from 6:30 AM to 4:00 PM Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at **571-272-4467**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is **571-272-3700**.



John Sipos
Primary Examiner
Art Unit 3721